



UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

**Caption in compliance with D.N.J. LBR 9004-1(b)**

ZEICHNER ELLMAN & KRAUSE LLP

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In re:

WILLIAM J. FOCAZIO,

Debtor.

Order Filed on June 19, 2019  
by Clerk

U.S. Bankruptcy Court  
District of New Jersey  
Chapter 11  
Case No. 19-10880-(VFP)

Judge:

Hon. Vincent J. Papalia, U.S.B.J.

**ORDER GRANTING MOTION OF CREDITOR  
BANK OF AMERICA, N.A., PURSUANT TO 11 U.S.C. 362(d),  
VACATING AND ANNULING THE AUTOMATIC STAY FOR CAUSE  
AND CONFIRMING THAT SUCH RELIEF IS RETROACTIVE**

The relief set forth on the following pages number 2 and 3, be and is

hereby **ORDERED.**  
**DATED: June 19, 2019**

A handwritten signature in black ink, reading "Vincent F. Papalia", is written over a horizontal line.

Honorable Vincent F. Papalia  
United States Bankruptcy Judge

Honorable Vincent J. Papalia  
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Upon the motion of Zeichner Ellman & Krause LLP, attorneys for creditor Bank of America, N.A. ("BANA"), pursuant to Bankruptcy Code section 362(d), seeking to vacate and annul the automatic stay for cause regarding certain real property located at 101 Fox Hedge Road, Saddle River, New Jersey (the "Property"), and that such relief be deemed retroactive confirming that the final judgment in the state court foreclosure action is valid and effective, and the Court having considered the moving papers and written submissions of the parties, and entertained oral argument of counsel, if any, and for good cause shown; it is

**ORDERED** that BANA's motion be and is hereby granted; and it is further

**ORDERED**, that the automatic stay be and is hereby vacated and annulled to permit BANA to continue with its state law remedies in the state court foreclosure action as against, among others, Debtor and the Property including, without limitation, the Sheriff's Sale of the Property; and it is further

**ORDERED**, that the final judgment of foreclosure entered on March 28, 2019 in the state court foreclosure against, among others, Debtor and the Property be and is hereby deemed valid and enforceable; and it is further

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**ORDERED**, that the annulment of the stay be and is hereby deemed retroactive as of the petition date because of: (1) Debtor's failure to notify BANA of his filing and those of his related business entities; and (2) because there is no prejudice to Debtor in permitting such relief as the Property is not part of Debtor's estate, and BANA is not seeking affirmative relief as against Debtor in the state court foreclosure; and it is further

**ORDERED**, that BANA's counsel serve a conformed copy of this Order on Debtor's counsel, the U.S. Trustee and any other party entering an appearance on BANA's motion.